

MESSAGE NO: 6348112 MESSAGE DATE: 12/14/1995

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 6317111
MESSAGE #
(s):

CASE #(s): A-570-843

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/13/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF AMENDED PRELIMINARY DETERMINATION & POSTPONEMENT OF
FINAL DETERMINATION OF BICYCLES FROM PEOPLE'S REPUBLIC OF CHINA (A-570-843)

MESSAGE NO: 6348112

DATE: 12 14 1995

CATEGORY: ADA

TYPE: PRE

REFERENCE: 6317111

REFERENCE DATE: 11 13 1995

CASES: A - 570 - 843

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PERIOD COVERED: 12 13 1995 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: NOTICE OF AMENDED PRELIMINARY DETERMINATION & POSTPONEMENT
OF FINAL DETERMINATION OF BICYCLES FROM PEOPLE'S REPUBLIC
OF CHINA (A-570-843)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ON DECEMBER 13, 1995, NOTICE OF ITS AMENDED PRELIMINARY
DETERMINATION OF BICYCLES FROM THE PEOPLE'S REPUBLIC OF CHINA
(PRC). THIS IS AN AMENDMENT OF NUMBER 6317111 DATED
NOVEMBER 13, 1995.

2. THE PRODUCT COVERED BY THIS INVESTIGATION IS BICYCLES OF ALL
TYPES, WHETHER ASSEMBLED OR UNASSEMBLED, COMPLETE OR INCOMPLETE,

FINISHED OR UNFINISHED, INCLUDING INDUSTRIAL BICYCLES, TANDEM, RECUMBENTS, AND FOLDING BICYCLES. FOR THE PURPOSES OF THIS INVESTIGATION, THE FOLLOWING DEFINITIONS APPLY IRRESPECTIVE OF ANY DIFFERENT DEFINITION THAT MAY BE FOUND IN CUSTOMS RULINGS, U.S. CUSTOMS LAW, OR THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS): 1) THE TERM "UNASSEMBLED" MEANS FULLY OR PARTIALLY UNASSEMBLED OR DISASSEMBLED; 2) THE TERM "INCOMPLETE" MEANS LACKING ONE OR MORE PARTS OR COMPONENTS WITH WHICH THE COMPLETE BICYCLE IS INTENDED TO BE EQUIPPED; AND 3) THE TERM "UNFINISHED" MEANS WHOLLY OR PARTIALLY UNPAINTED OR LACKING DECALS OR OTHER ESSENTIALLY AESTHETIC MATERIAL. SPECIFICALLY, THIS INVESTIGATION IS INTENDED TO COVER:

1) ANY ASSEMBLED COMPLETE BICYCLE, WHETHER FINISHED OR UNFINISHED; 2) ANY UNASSEMBLED COMPLETE BICYCLE, IF SHIPPED IN A SINGLE SHIPMENT, REGARDLESS OF HOW IT IS PACKED AND WHETHER IT IS FINISHED OR UNFINISHED; AND 3) ANY INCOMPLETE BICYCLE, DEFINED FOR PURPOSES OF THIS INVESTIGATION AS A FRAME, FINISHED OR UNFINISHED, WHETHER OR NOT ASSEMBLED TOGETHER WITH A FORK, AND IMPORTED IN THE SAME SHIPMENT WITH ANY TWO OF THE FOLLOWING COMPONENTS, WHETHER OR NOT ASSEMBLED TOGETHER WITH THE FRAME AND/OR FORK: A) THE REAR WHEEL; B) THE FRONT WHEEL; C) A REAR DERAILLEUR; D) A FRONT DERAILLEUR; E) ANY ONE CALIPER OR CANTILEVER BREAK; F) AN INTEGRATED BRAKE LEVER AND SHIFTER, OR SEPARATE BRAKE LEVER AND CLICK STICK LEVER; G) CRANKSET; H) HANDLEBARS, WITH OR WITHOUT A STEM; I) CHAIN; J) PEDALS; AND K) SEAT (SADDLE), WITH OR WITHOUT SEAT POST AND SEAT PIN.

THE SCOPE OF THIS INVESTIGATION IS NOT INTENDED TO COVER BICYCLE PARTS EXCEPT TO THE EXTENT THAT THEY ARE ATTACHED TO OR IN THE SAME SHIPMENT AS AN UNASSEMBLED COMPLETE BICYCLE ON AN INCOMPLETE BICYCLE, AS DEFINED ABOVE.

COMPLETE BICYCLES ARE CLASSIFIED UNDER SUBHEADINGS 8712.00.15, 8712.00.25, 8712.00.35, 8712.00.44, AND 8712.00.48 OF THE 1995 HTSUS. INCOMPLETE BICYCLES, AS DEFINED ABOVE, MAY BE CLASSIFIED FOR TARIFF PURPOSES UNDER ANY OF THE AFOREMENTIONED HTSUS SUBHEADINGS COVERING COMPLETE BICYCLES OR UNDER HTSUS SUBHEADINGS 8714.91.20 - 8714.99.80, INCLUSIVE (COVERING VARIOUS

BICYCLE PARTS). THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES. THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-843.

4. ON NOVEMBER 9 AND 20, 1995 RESPONDENTS ALLEGED MINISTERIAL ERRORS IN THE DEPARTMENT OF COMMERCE'S PRELIMINARY DETERMINATION CALCULATIONS. THE DEPARTMENT OF COMMERCE AGREES AND IN ACCORDANCE WITH PROCEDURES SET FORTH IN THE PROPOSED REGULATIONS

WE ARE AMENDING THE DUMPING MARGIN FOR HUA CHIN, MERIDA, OVERLORD AND UCC. THE REVISED MARGINS FOR HUA CHIN (1.56), OVERLORD (1.54), AND UCC (0.55) ARE DE MINIMIS RATES. THE REVISED MARGINS FOR MERIDA ARE ZERO.

5. THE CUSTOMS SERVICE SHALL IMMEDIATELY DISCONTINUE SUSPENSION OF LIQUIDATION OF SUCH SHIPMENTS FOR MERIDA, OVERLORD, AND UCC THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE ON OR AFTER NOVEMBER 9, 1995. ALL ESTIMATED ANTIDUMPING DUTIES DEPOSITED ON ENTRY SUMMARIES SHALL BE REFUNDED AND BONDS OR OTHER SECURITY RELEASED.

THE CUSTOMS SERVICE SHALL IMMEDIATELY DISCONTINUE SUSPENSION OF LIQUIDATION OF SUCH SHIPMENTS FOR HUA CHIN, THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE ON OR AFTER AUGUST 11, 1995. ALL ESIMATED ANTIDUMPING DUTIES DEPOSITED ON ENTRY SUMMARIES SHALL BE REFUNDED AND BONDS OR OTHER SECURITY RELEASED.

6. FOR IMPORTS OF BICYCLE'S FROM THE PRC FOR COMPANIES NOT LISTED ABOVE, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER NOVEMBER 9, 1995. EFFECTIVE DECEMBER 13, 1995, CUSTOMS SHALL CONTINUE TO REQUIRE, FOR SUCH ENTRY SUMMARIES, A CASH DEPOSIT OR THE POSTING OF A BOND

EQUAL TO THE MARGINS SHOWN BELOW.

MANUFACTURER/PRODUCER EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE RATE
BO AN BIKE CO., LTD.	A-570-843-001	0.00%
CATIC BICYCLE CO, LTD.	A-570-843-002	0.00%
CHITECH INDUSTRIES, LTD.	A-570-843-003	5.29%
GIANT CHINA CO., LTD.	A-570-843-004	0.00%
HUA CHIN BICYCLE CO., LTD.	A-570-843-005	0.00%
MERIDA INDUSTRY CO., LTD.	A-570-843-006	0.00%
MERIDA BICYCLE CO., LTD.	A-570-843-007	0.00%
SHENZHEN CHINA BICYCLES CO. (HOLDINGS) LTD.	A-570-843-008	5.69%
SHENZHEN OVERLORD BICYCLE CO., LTD	A-570-843-009	0.00%
SHUNLU BICYCLE CO. (AKA SHUNDE BICYCLE PARTS CO)	A-570-843-010	5.29%
UNIVERSAL CYCLE CORP.	A-570-843-011	0.00%
PRC-WIDE RATE	A-570-843-000	61.67%

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT, VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT CAMERON WERKER, OFFICE OF ANTIDUMPING DUTY INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-3874.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party